

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

IN RE: Annie Mae Robinson
Debtors

Chapter 13
Case No. 09-30982-KRH

Annie Mae Robinson
Plaintiff

v.

CitiMortgage Inc.
PO Box 6030
Sioux Falls, SD 57117-6030
Defendant

OBJECTION TO ALLOWANCE OF CLAIM

Comes now Annie Mae Robinson, debtor, and shows the court as follows:

1. CitiMortgage, Inc. filed an amended claim on November 13, 2013 (Claim Number 8a) claiming a total arrears in the amount of \$43,120.40 which includes post filing payments not made by debtor. The original claim filed by CitiMortgage on June 4, 2009 in the amount of 5,865.13 which represented all pre filing arrears on the mortgage account.(Claim Number 8). .
2. No agreement or communication on this matter was had between debtor's counsel and CitiMortgage Inc before the amended claim was filed and debtor did not want and post petition amounts due added to the case. No Motions for Relief or other motions were filed by CitiMortgage in the case and the case is scheduled to be discharged in the second couple of months.

Wherefore, debtor respectfully requests that the court order that creditor's amended claim be disallowed and the original claim be reinstated in the case.

Respectfully submitted:
Annie Mae Robinson

By: /s/ Ellen P. Ray
Counsel for debtor

Ellen P. Ray, Esq.
1701 W. Main Street
Richmond, VA 23220
(804) 355-1800
Va. Bar No. 32286

CERTIFICATE

I certify that a copy of the foregoing was mailed first class mail, postage prepaid, this 22nd day of January, 2014, to:

Office of the US Trustee
701 E. Broad Street, Rm 4304
Richmond, VA 23219

Robert E. Hyman
PO Box 1780
Richmond, VA 23218-1780

CitiMortgage, Inc.
PO Box 6030
Sioux Falls, SD 57117-6030

Annie Mae Robinson
4202 Austin Ave.
Richmond, VA 23222

/s/ Ellen P. Ray
Ellen P. Ray

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Plaintiff

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PO Box 6030
Sioux Falls, SD 57117-6030

NOTICE OF MOTION

****Notice of Motion****

Annie Mae Robinson, Debtor, has filed papers with the Court to Object Allowance of Claim as filed.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the objection to claim, or if you want the Court to consider your view on the motion, then on or before February 21, 2014 you or your attorney must:

File with the Court, at the address shown below, a written response pursuant to Fed. Rules of Bankruptcy Procedure Section 2002(a)(2) and Local Bankruptcy Rule 9013.

If you mail your response to the court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Rm 4000
Richmond, VA 23219

You must also mail a copy to:

Attorney for Debtor
Ellen P. Ray
1701 W. Main Street
Richmond, VA 23220

A court hearing has not been set on this matter and will not be set unless a timely objection to this motion is filed with the court. If no objections are filed, the court may enter an order granting the motion with no further notice to the parties of interest.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the motion to Object Allowance of Claim as filed.

/s/ Ellen P. Ray

Ellen P. Ray, Esquire
1701 W. Main Street
Richmond, VA 23220
(804) 355-1800
Va. State Bar No. 32286

Date: 01-22-2014

Certificate of Service

I certify that a copy of the foregoing Notice of Motion was mailing, by first class mail, or sent electronically, the 22nd of January, 2014, to the following parties and to all parties listed on the attachment below:

Office of the US Trustee
701 E. Broad Street, Rm 4304
Richmond, VA 23219

Robert Hyman
PO Box 1780
Richmond, VA 23218-1780

CitiMortgage Inc.
PO Box 6030
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Annie Mae Robinson
4202 Austin Ave.
Richmond, VA 23222

/s/ Ellen P. Ray
Ellen P. Ray